
Introduced by Senator Campbell

February 22, 2005

An act to amend Section 13332.17 of the Government Code, and to amend Section 10290.1 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1079, as introduced, Campbell. Public contracts: delegation of contracting authority: purchase estimates.

Existing law authorizes state agencies, in exercising their delegation of contracting authority from the Department of General Services, to contract for specified items with suppliers who have multiple award schedules with the General Services Agency of the United States, as provided. Existing law also specifies timeframes for purchase estimates and awards submitted to the Department of General Services.

This bill would make clarifying changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13332.17 of the Government Code is
- 2 amended to read:
- 3 13332.17. Purchase estimates for ~~supplies~~ *goods* or equipment
- 4 submitted to the Department of General Services pursuant to
- 5 Section 10311 of the Public Contract Code received during the
- 6 last 90 days of a fiscal year and for which a purchase order award
- 7 is pending at the end of that fiscal year, may be awarded during
- 8 the initial 90 days of the subsequent fiscal year. The 90-day

1 period shall be extended commensurate with the time required to
2 resolve any protest filed pursuant to Section 10306 of the Public
3 Contract Code.

4 Notwithstanding any other provision of law and regardless of
5 the date of receipt of the ~~materials, supplies~~ *goods* or equipment,
6 the date of expenditure and encumbrance for a purchase
7 authorized by this section shall be construed to be the last day of
8 the fiscal year in which the purchase estimate is received by the
9 department. A purchase order awarded in accordance with the
10 provisions of this section shall cite this section and the actual
11 date of award.

12 SEC. 2. Section 10290.1 of the Public Contract Code is
13 amended to read:

14 10290.1. (a) Notwithstanding any other provision of law, in
15 exercising their *explicit* delegation of contracting authority from
16 the department, state agencies may contract for goods,
17 information technology, or services with suppliers who have
18 multiple award schedules with the General Services
19 Administration of the United States if the supplier is willing to
20 extend those terms, conditions, and prices. The department may
21 also develop multiple award schedules or agreements for use by
22 state agencies in the same manner.

23 (b) The department shall determine the delegation contracting
24 authority for agencies wishing to contract with suppliers who
25 have multiple award schedules. The department shall seek input
26 from both customer departments and agencies and private sector
27 suppliers.